IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CASE NO.: **CWP No.2166 of 2006**

DATE OF DECISION: August 25, 2006

SAHIB RAM ...PETITIONER

VERSUS

CHIEF CANAL OFFICER AND ANOTHER ...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE ASHUTOSH MOHUNTA.
HON'BLE MRS. JUSTICE NIRMAL YADAV.

PRESENT: MS. SANDEEPTA GUPTA, ADVOCATE FOR THE PETITIONER.
MR. S.K. BISHNOI, SR.DAG, HARYANA.
MR. GURINDER PAL SINGH, ADVOCATE FOR RESPONDENT NO.2.

ASHUTOSH MOHUNTA, J. (ORAL)

The petitioner has impugned the order, Annexure P-4 passed by the Chief Canal Officer, Haryana by which the water from Point C-6 to L-1 as depicted in the site plan in the length of 5 killas for lining has been approved.

Learned counsel for the petitioner has vehemently argued that as a result of lining on water course from Point C-6 to L-1, the entire holding of the petitioner would be surrounded by lined water course and therefore, the petitioner would not be able to easily come to his fields and that the land of the petitioner would be bifurcated by the network of water courses.

We have perused the impugned orders alongwith the site plan and found that there is no water course from Point L to Point L-1, which was ordered to be deleted. Providing of water course from Point C-6 to L-1

to respondent No.2 is just and fair, as this respondent would be able to irrigate his fields properly.

There is no infirmity in the impugned orders and accordingly, the writ petition is dismissed.

(ASHUTOSH MOHUNTA)
JUDGE

August 25, 2006
Gulati

(NIRMAL YADAV)
JUDGE